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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,652	11/06/2002	Gary Huang	9822-US-PA	7994

31561 7590 10/02/2003

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE
7 FLOOR-1, NO. 100
ROOSEVELT ROAD, SECTION 2
TAIPEI, 100
TAIWAN

EXAMINER

CASTRO, ANGEL A

ART UNIT	PAPER NUMBER
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2653

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DATE MAILED: 10/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,652

Applicant(s)

HUANG ET AL.

Examiner

Angel A Castro

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 9 is objected to because of the following informalities:

In claim 9, line 1, "claim 9" should be changed to --claim 8--.

Correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Okita et al (U.S. Pat. 4,719,526).

Regarding claim 1, Okita et al discloses a damper (figure 6) comprising a radial trench 29, wherein the radial trench is caved into a lateral surface area of the damper and a shape of a traversal cross-section parallel to a radius of a damper is not 90-degrees-cyclic-quadrant-symmetric.

Regarding claim 2, Okita shows that the shape of the traversal cross-section parallel to the radius of the damper comprises at least two different curves (see figure 6).

Regarding claim 3, Okita et al shows a longitudinal through-hole that penetrates through the damper is parallel to a longitude of the damper (see figure 6).

4. Claims 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Hishinuma et al (U.S. Pat. 4,812,932).

Regarding claim 4, Hishinuma et al discloses a damper (figure 9) comprising a radial trench (shown in figure 9, but not labeled) and a slot, wherein the radial trench is caved into a lateral surface area of the damper and the slot is caved into outer surfaces of the damper (upper and lower surfaces).

Regarding claim 5, Hishinuma et al shows that the slot is a longitudinal slot which caves into the outer surfaces of the damper and are parallel to a longitude of the damper (see figure 9).

Regarding claim 6, Hishinuma shows that the radial trench intersects with the slot (lower slot).

Regarding claim 7, Hishinuma et al shows a longitudinal though-hole that penetrates through the damper and is parallel to a longitude of the damper (see figure 9).

5. Claims 8-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Ishimatsu et al (U.S. Pat. 5,956,314).

Regarding claim 8, Ishimatsu et al shows a damper structure (figures 1-2) comprising:
a damper 208 comprising a radial trench 210, which caves into a lateral surface area of the damper and is parallel to a radius of the damper;

a clamp 211 which engages to clamp onto the damper by the radial trench, wherein a surface contact area between the clamp and the damper is smaller than an inner surface area of the radial trench (it is evident from the figure that the surface contact area between the clamp and the damper is smaller than the total inner surface of the radial trench).

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Regarding claim 9, Ishimatsu et al shows the damper further comprising a longitudinal through-hole 214, which penetrates through the damper and is parallel to a longitude of the damper.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. McCutcheon et al (U.S. Pat. 6,456,455) discloses a damper spacer; Furukawa et al (U.S. Pat. 6,324,153) discloses a disk device having vibration absorbers; Saruwatari et al (U.S. Pat. 6,292,455) discloses a disk drive apparatus with elastic dampers; Itakura et al (U.S. Pat. 5,915,662) discloses an anisotropic damper.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel A Castro whose telephone number is 703-308-8435. The examiner can normally be reached on Monday through Thursday, 8 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R Korzuch can be reached on 703-305-6137. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.



Angel Castro, Ph.D.